

Notice of Allowability

Application No.

10/726,175

Examiner

M. R. Sedighian

Applicant(s)

LEE ET AL.

Art Unit

2613

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 12/1/03 and 1/4/07.
2. ☒ The allowed claim(s) is/are 1-10.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
 - * Certified copies not received: _____.


Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date 12/1/03
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____


M. R. SEDIGHIAN
PRIMARY EXAMINER

EXAMINER AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Eric Hyman on 1/4/07.

2. IN THE SPECIFICATION

a) In specification, page 8, line 2, the reference numerals "41" and "42" has been deleted.

3. IN THE CLAIMS

a) In claim 6, line 16, the phrase "a first circulator" has been deleted.

b) In claim 6, line 26, the phrase "the second clock component to the second" has been changed to --- the second clock component to the third---.

4. The following is an examiner's statement of reasons for allowance:

As to claims 1-10, the prior art of Li et al. (US Patent No: 6,501,579 B2), Watanabe et al. (US Patent No: 6,963,436 B2), and Savoj (US Patent No: 6,847,789 B2) do not fairly teach or suggest a method of optically producing a clock from an optical signal having a plurality of intensity peaks at different frequencies on a spectrum of the optical signal, comprising the steps of: extracting a plurality of clock components by filtering out frequency bands between

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neighboring intensity peaks, and producing a clock having reduced noise and jitter by logically ANDing two or more of the plurality of clock components extracted at the step of extracting the plurality of clock components.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Li et al. (US Patent No: 6,501,579 B2) is cited to teach an apparatus and a system for extracting an optical clock signal from an optical data signal by incorporating a clock extraction apparatus (10, fig. 8), an optical clock recovery circuit (84, fig. 8), an electric clock recovery circuit (78, fig. 8), and a decision circuit (80, fig. 8).

Watanabe et al. (US Patent No: 6,963,436 B2) is cited to show an optical transmission system that is comprised of waveform shapers (6, 54, fig. 5), an optical clock regenerator (8, fig. 5), and an optical AND circuit (10, fig. 5).

Savoj (US Patent No: 6,847,789 B2) is cited to show a clock and data recovery circuit (col. 4, lines 5-8, 56-65 and 140, figs. 1, 5) that is comprise of logical gates (col. 7, lines 6-38 and 540, 550, fig. 5).

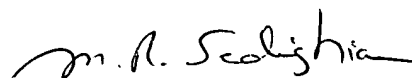
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6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to M. R. Sedighian whose telephone number is (571) 272-3034.

The examiner can normally be reached on 9 to 5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jason Chan can be reached on (571) 272-3022. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.


M. R. SEDIGHIAN
PRIMARY EXAMINER